

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 1151

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

MANNY M ARAGON

AN ACT

RELATING TO MUNICIPALITIES; ENACTING SECTIONS OF THE NMSA 1978 TO TRANSFER OWNERSHIP OF CERTAIN WATER AND SEWER FACILITIES LOCATED BY A MUNICIPALITY HAVING A POPULATION OF OVER TWO HUNDRED THOUSAND PERSONS IN THE UNINCORPORATED AREA OF A CLASS A COUNTY TO THE COUNTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. STATE-FINANCED WATER AND SEWER FACILITIES-- OWNERSHIP--CLASS A COUNTIES.--Ownership of water and sewer facilities planned, designed, constructed, installed, acquired, improved or renovated with funds provided through the issuance of severance tax bonds and located in the unincorporated areas of a class A county by a municipality in the county and having a population of over two hundred thousand shall be transferred to the class A county if the county creates, acquires, contracts

Underscored material = new
[bracketed material] = delete

Underscored material = new
[bracketed material] = delete

1 for, initiates or otherwise operates a water and sewer utility
2 sufficient to supply water and sewer service to its inhabitants
3 using the water and sewer facilities transferred to it pursuant
4 to this section. The local government division of the
5 department of finance and administration shall oversee and
6 administer, with the department of environment, severance tax
7 bonds for water and sewer facilities to be located in the
8 unincorporated areas of class A counties by municipalities
9 having a population of over two hundred thousand to ensure that
10 the provisions of this section are met; and shall maintain
11 records sufficient to ensure that the transfer of water and
12 sewer facilities to the class A county are made in accordance
13 with this section. The transfer described in this section is
14 ineffective if the unincorporated area of the county in which
15 the water and sewer facilities financed by severance tax bonds
16 are located is annexed by the municipality locating the
17 facilities there.

18 Section 2. CLASS A COUNTY WATER AND SEWER FACILITIES TASK
19 FORCE. --If a class A county, in which a municipality is located
20 having a population of over two hundred thousand, creates,
21 acquires, contracts for, initiates or otherwise operates a water
22 and sewer utility to provide service to its inhabitants in the
23 unincorporated area of the county, a joint county-municipal
24 water and sewer facilities task force shall be established to
25 determine the schedule procedure and terms of the transfer of

. 115713. 1

Underscored material = new
[bracketed material] = delete

1 the water and sewer facilities financed by severance tax bonds
2 and located in the unincorporated areas of the class A county by
3 the municipality. The task force shall be comprised of three
4 members, one each appointed by the governing bodies of the
5 county and the municipality, and the third appointed by the
6 other two. If the two members appointed by the governing bodies
7 cannot reach agreement as to the appointment of the third member
8 of the task force, the third member shall be appointed by the
9 chief judge of the district court located in the county. The
10 schedule for the transfer, compensation, if any, and other terms
11 of the transfer of the water and sewer facilities located in the
12 unincorporated area of the county shall be determined by the
13 task force within six months of its appointment, and the
14 transfer thereafter completed.

1 FORTY-THIRD LEGISLATURE

2 FIRST SESSION, 1997

3
4
5
6 March 15, 1997

7
8 Mr. President:

9
10 Your FINANCE COMMITTEE, to whom has been referred

11
12 SENATE BILL 1151

13
14 has had it under consideration and reports same with
15 recommendation that it DO PASS.
16

17
18 Respectfully submitted,

19
20
21
22 _____
23 Ben D. Altamirano, Chairman
24
25

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Date _____

The roll call vote was 8 For 3 Against

Yes: 8

No: None

Excused: Aragon, Ingle, McKibben

Absent: None

S1151FC1

~~Underscored material = new
[bracketed material] = delete~~

1 FORTY-THIRD LEGISLATURE

2 FIRST SESSION, 1997

3
4
5
6 March 15, 1997

7
8 Mr. President:

9
10 Your FINANCE COMMITTEE, to whom has been referred

11
12 SENATE BILL 1151

13
14 has had it under consideration and reports same with
15 recommendation that it DO PASS.
16

17
18 Respectfully submitted,

19
20
21
22 _____
23 Ben D. Altamirano, Chairman
24
25

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

No: None

Excused: Aragon, Ingle, McKibben

Absent: None

S1151FC1

Underscored material = new
~~[bracketed material] = delete~~